IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 23188 of 2004

Between:

Ch.Sivakameswar W/o.B.Srinivasa Rao
R/o.Sivarampuram (V) Tallur (M) Prakasam District.

..... PETITIONER

AND

The Revenue Divisioanl Officer Kandukur Division, Prakasam District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ, order or direction more particulalry one in the nature of Writ of Mandamus declaring the notification issued by the respondent in Rc.F/2551/2004, dt.9.11.2004 thereby reserving Sivarampuram Village Fair Price shop dealership for physically handicapped category without following any rules of reservation and roster is illegal, irregular and violative of Art.14, 19 and 21 of the Constitution of India and also rules of reservation and roster and set aside the same and consequently direct the respondent to notify Sivarampuram Village Fair Price Shop dealership to open category and pass such other order or orders.

Counsel for the Petitioner:MR.SATYANARAYANA NIMMAGADDA

Counsel for the Respondent : GP FOR CIVIL SUPPLIES

The Court, at the stage of admission, made the following :

ORDER:

Petitioner was appointed as a temporary dealer for the fair price shop of Sivarampuram Village. Respondent issued notification, dated 09.11.2004, inviting applications for appointment of a regular dealer for that shop. It is reserved in favour of physically handicapped candidates. Petitioner challenges the same.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

It is not in dispute that the petitioner was appointed only as a temporary dealer. Such appointments are made only as stopgap arrangements. A temporary dealer cannot acquire any right. Further, the reservation of the fair price shops is to be effected, taking the total number of shops in the Revenue Division as a unit. Petitioner does not allege that the present reservation is vitiated in any manner. This Court does not find any basis to interfere with the same.

The writ petition is accordingly dismissed. There shall be no order as to costs.

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L.NARASIMHA REDDY, J

Dated : 14th December, 2004

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To

1 The Revenue Divisional Officer Kandukur Division, Prakasam District.

2 2CCs to G.P. for Civil Supplies, High Court Buildings,

Hyderabad (OUT).

3 2CD copies